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continue in power by declining to vote the requisite appropriation for its maintenance; a proceeding which we saw dangerously near repeated during the past session of Congress, the House in Committee of the Whole on Appropriation voting to strike out the usual allowance, but the House in Open Session restoring it—both of which were indicative more of partisan pusillanimity than of anything more reputable.

There is a constant, ever deepening and enduring inspiration to the reader as he courses through these records of a life nobly given up to the arduous labor of promoting civic purity and uprightness in our national affairs and communal life. It does not so much matter that these addresses do not have a minuteness and an elaborateness of treatment befitting scientific essays and monographs; or that in some of them, especially those of his younger days, we perceive a slight haziness and evasive generality in statement that makes us feel that he was not quite sure of himself, that he would not have been able to hold his own against a doughty dialectician; but it does matter greatly that as we read we are inspired and quickened and lifted up into "an ampler ether, a diviner air," by the splendor of the discourse and the sincerity of the writer; that we are shown by deeds and brave outspoken words that it is the imperative duty of scholarly men and those in high position to enter actively into the political life of their nation and community and to give their best toward promoting and preserving high civic ideals in politics and public office, even though they may suffer "the whips and scorns of time."

*Philadelphia.*

FRANK I. HERRIOTT.

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*Cases on Constitutional Law.* By JAMES BRADLEY THAYER, LL. D. Parts I and II. Pp. xx, 944. Price, \$6.00. Cambridge, Mass.: C. W. Sever, 1894.

Although this is a work designed primarily for law students, still it is one which deserves to find wide acceptance and use wherever the constitutional history and constitutional law of the United States are taught, since its subject-matter is of fully as much importance to the student of history as to the student of law. The treatises of Cooley, Hare, Story and others find here just that supplementary and illustrative material needed in order to afford exact and complete knowledge. Much, perhaps too much, stress is sometimes laid upon the study of sources, but whatever may be its limitations in other directions, it certainly forms a very essential part of the study of American constitutional law; without a familiarity with the "cases," one must almost necessarily be frequently led astray. Nor will it suffice, as the slips of some of the most learned writers bear witness, to rely upon the head-notes of reports—the cases themselves must be read, and read with

care. Such reading is an art in itself, and expertness comes only with long practice and careful training; on this account one cannot but lament that Professor Thayer has not multiplied the invaluable notes with which he has here and there elucidated some specially obscure passages or unusually difficult problems. For it is sincerely to be hoped that teachers of American history may make extensive use of this work, and not all can have enjoyed, in their study, the guidance of a master of the subject.

The two parts issued, forming the first of the two volumes of the work when completed, deal first with some preliminary considerations respecting constitutions, with written constitutions in the United States, and with making and changing constitutions, both Federal and State; then follow chapters on the jurisdiction of the United States, on citizenship and civil and political rights, and on the police power. There are also valuable appendices, giving national and State constitutions, entire or in part. The second volume will, it may be presumed, treat, among other things, of the obligation of contracts, *ex post facto* legislation, regulation of commerce, taxation, money, bills of credit, eminent domain, and war and treaty powers.

In the more than 900 large and closely printed pages already published, Professor Thayer has provided such an abundance of material with judicious care in selection—a choice based upon many years of teaching—that one can do little more than call attention to the inestimable value of this collection of cases, both to teachers and to students. There are to be found here not only the leading cases, such as *Marbury vs. Madison*, *Fletcher vs. Peck*, *Gibbons vs. Ogden*, *McCulloch vs. Maryland*, *Texas vs. White*, the *Slaughter-house* cases, the *Civil Rights* cases, and so on, but also the less familiar and less accessible cases, which until now had to be sought through hundreds of volumes of Federal and State reports.

The editor always gives the language of the judges, never attempting to condense or summarize, except occasionally in the preliminary statement of facts, and all omissions are clearly indicated. In this exact reproduction of the opinions there is one element of danger for the inexperienced reader, in that he may sometimes fail to discriminate between dictum and decision; but the merits of the plan plainly outweigh any disadvantages connected with it. In conclusion, attention may be called to the fact that the subject is treated not only topically, but also, when possible, chronologically, and is brought down to the present time, cases of the year 1894 being cited. In this way the historical development of judicial opinion may be easily traced.

CHARLES F. A. CURRIER.